



GARY HERBERT  
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State of Utah  
Department of Commerce  
Division of Public Utilities

FRANCINE GIANI  
*Executive Director*

CHRIS PARKER  
*Director, Division of Public Utilities*

**MEMORANDUM**

**To:** Public Service Commission

**From:** Division of Public Utilities  
Chris Parker, Director  
Bill Duncan, Telecommunications / Water Manager  
Ron Slusher, Utility Technical Consultant

**Date:** August 14, 2018

**Re:** In the Matter of the Joint Application of Notice of Birch Communications, LLC, Ionex Communications North, LLC, and Tempo Telecom, LLC's Joint Notice of Pro Forma Change to Their Ownership, Docket Numbers 18-2600-01, 18-2563-01, and 18-2569-02.

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**RECOMMENDATION (Acknowledgement):**

The Division of Public Utilities ("Division") recommends that the Public Service Commission ("Commission") acknowledge the Pro Forma Change in Ownership Structure of Birch Communications, LLC, Ionex Communications North, LLC, and Tempo Telecom, LLC.

The Division expects that, based on history that a filing of this type and with the information submitted by the company, there will be no objections or opposition to this recommendation. Therefore, the Division requests that this docket be adjudicated informally in accordance with R746-110-1.

**EXPLANATION:**

On or about July 23, 2018, Birch Communications, LLC, Ionex Communications North, LLC, and Tempo Telecom, LLC ("The Companies or Applicants") notified the Commission of the finalization of a merger and restructuring that had taken place on or about January 23, 2018. At the close of this restructuring, the primary shareholders made further changes to the Companies' corporate organization that were not previously addressed in the first filing.

The Applicants state that the new changes to the Companies' corporate structure will have no effect upon either their ongoing management or their operations, and is entirely transparent to the customers of the Companies.

cc: Winafred R. Brantl, Attorney for Birch Communications, LLC  
Angela F. Collins, Attorney for Ionex Communications North LLC and Tempo Telecom, LLC  
Justin Jetter, Assistant Attorney General, State of Utah  
Office of Consumer Services, State of Utah